

GOVERNOR'S OFFICE OF CRIMINAL JUSTICE PLANNING

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**CALIFORNIA CHILDREN'S JUSTICE (CJA) TASK FORCE****MINIMUM STANDARD PROTOCOL
FOR THE INVESTIGATION OF CHILD ABUSE AND NEGLECT**

1. Every county should have an interagency protocol agreement for the investigation of child abuse and neglect developed and agreed upon (signed) by the directors of the following core agencies:
 - District Attorney
 - Law Enforcement (Sheriff and Chief of Police)
 - Child Protective Services or equivalent agency administering child welfare
 - Public Health
 - Tribal Council Representatives

This protocol agreement may include but is not limited to the following additional entities:

- School districts
 - Probation departments
 - Courts
 - County counsel
 - Clergy
 - Regional centers
 - Mental health
 - Counsel for children
 - CASA (court appointed special advocates)
 - Ancillary law enforcement agencies (such as the federal government and the military)
 - Victim - Witness programs
 - Child Abuse Councils
 - Hospitals/ medical examiners
2. Protocols should include the following:
 - Mission goal and mission statement
 - Written standards and procedures
 - Procedure for periodic review by all agencies involved
 - Procedure for dissemination to all parties involved
 - Procedure for training about the protocol
 - Recognition of the need for ongoing training procedures for professionals involved in the investigation of child abuse
 3. Protocols should address all children, including children with special needs, suspected of being abused or neglected in the following situations:
 - Intra-family or in-home

- Out-of-home (e.g., daycare, group homes, public or private schools, foster care, licensed facilities)
 - Perpetration by stranger
 - Siblings of a child abuse fatality victim
 - Homes with domestic violence
4. Protocols must address a “cascade” or sequence of responses that takes into account the emotional and physical well-being of the child victim.
- Initial response following a referral should be coordinated among first responders (i.e., CPS and law enforcement) to reduce redundant interview with or questions to the child. Specifically, the protocol should outline the procedures by which first responders share information with each other.
 - Investigative procedures for forensic evidence gathering
 - Reporting procedures (Child Abuse Central Index) and cross-reporting procedures (OCJP forms).
 - Minimum standards for levels of professional competency
 - Knowledge of legal authority
 - Procedures for sharing information with all the parties involved in the investigation
 - Procedures for getting information about the child victim back to reporters.
 - Procedures for transporting a child: Who takes the child where, and under what conditions. In addition, procedures for transporting family members if the need arises.
 - Procedures to ensure that a child with special needs receives prescribed medication or has special equipment, such as a wheelchair.

Procedures must also include the following considerations for forensic evidentiary interviews and medical exams:

- Qualification of personnel conducting the interview or exam.
 - Location of the interview or exam.
 - Procedures for documentation.
 - Guidelines for deciding which agency budget will cover the cost of the exam or interview.
 - Definition of criteria under which a child qualifies for an exam or interview.
5. The Protocol should address the following issues:
- Procedures for denial of entry for any of the responders to a referral for child abuse or neglect.
 - Procedures for obtaining necessary consent for medical exams and forensic interviews.
 - Procedures for sharing of information among mandated reporters, first respondents, professionals, follow-up investigations.
 - Procedures for sharing information among professional child abuse investigators that address issues of confidentiality. (Legal confidentiality is narrower than often assumed.)
 - Procedures for providing information about protective orders, prior history criminal background check, court actions, and placement orders.
 - Procedures for emergency situations or professional judgment that allow for deviation from the protocol.
6. The protocol must explain how the interagency protocol for child abuse investigation interfaces with or acknowledges the protocols of individual agencies involved and must include procedures for resolving any conflicts among those protocols.